

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

Robinson, Barbara Ann

Plaintiff,

vs.

WELLS FARGO BANK
NATIONAL ASSOCIATION, AS
TRUSTEE FOR THE
CERTIFICATE HOLDERS OF THE
MLMI TRUST, MORTGAGE
LOAN ASSET-BACKED
CERTIFICATES, SERIES 2005
WMC2;MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC.;NATIONSTAR
MORTGAGE BANK OFAMERICA;
JAY BRAY; AZTEC
FORECLOSURE CORPORATION
OF WASHINGTON

Defendant.

CASE NO.: 2:17-CV-00061-JLR

**MEMORANDUM OF POINTS AND
AUTHORITIES AND
DECLARATION IN SUPPORT OF
MOTION FOR LEAVE TO AMEND
COMPLAINT PURSUANT TO FED.
R. CIV. P. 15(a)(2)**

JURY TRIAL DEMANDED

1 I, Robinson, Barbara comes before the court by Special Appearance and Special Deposit
2 without waiving any Equitable or Legal Rights, Remedies or Defenses, Statutory or Procedural
3 as the Donor-Grantor-Beneficiary of the Deed of Trust, doing business as BARBARA
4 ROBINSON and alleges that there is no Plain, Speedy or Adequate Remedy at law and that these
5 proceedings are counter to equity and that this proceeding could irreparably damage rights to
6 title, land, property and interest on a Private Trust now established by Special Deposit before this
7 court. Because Courts of Special Equity have exclusive jurisdiction over Private Trusts and
8 Special Deposits, I hereby and herein invoke a Court of Special Equity by Special Deposit from
9 which relief may be granted by Motion or Application for leave and Amend complaint pursuant
10 to FED R. CIV. P 15(a)(2). This Motion or Application is being made on the following grounds
11 and is supported by the attached Declaration in support thereof:
12
13
14

15 1. Plaintiff has no Plain, Speedy or Adequate Remedy at Law and orders these proceeding
16 in a Court of of Special equity.
17

18 2. Plaintiff has not filed or made any previous Motions for a leave and amendment to
19 complaint.
20

21 3. Plaintiff is attempting a stipulation from the opposing counsel but has received no
22 response.
23

24 4. Neither Plaintiff or Defendants will be prejudiced by this amendment if granted by this
25 Court of Special Equity.
26

27 5. The interests of justice are best served by this amendment.
28

1 6. This case involves a thresh hold issue as to Defendant's standing as a Real Party In
2 Interest under Article 3 § 2 of the National Constitution that needs to be addressed by this Court
3 of Special Equity Sua Sponte.

4 7. That the Defendants motions are counter to equity and that to order in their favor could
5 irreparably damage by trespass, Plaintiff's Unalienable right to Equitable and Legal title to land,
6 property and interest on a Private Trust now established by Special Deposit and because Courts
7 of Special Equity have exclusive jurisdiction over Private Trusts by Special Deposit.

8 8. That Plaintiff has requested Documents that will establish this trespass but may not be
9 available until the end of the month of February.

10 9. That this Motion for an amendment is not being made for the purposes of delay or
11 hinderous but to further the interests of justice.

12
13
14
15 **Respectfully Submitted by Special Deposit,**

16
17
18 2/1/2017
Date

By: Barbara Robinson

Signature, All Rights Reserved

19
20
21 Barbara Robinson
Type or Print Your Name (Plaintiff)

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WESTERN DISTRICT OF WASHINGTON AT SEATTLE

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WELLS FARGO BANK
NATIONAL ASSOCIATION, AS
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Defendant.

CASE NO.: 2:17-CV-00061-JLR

**DECLARATION IN SUPPORT OF
MOTION FOR LEAVE TO AMEND
COMPLAINT PURSUANT TO FED.
R. CIV. P. 15(a)(2)**

JURY TRIAL DEMANDED

I, Robinson, Barbara Ann makes this Declaration in support of Her Motion for Leave to Amend Complaint Pursuant to Federal Rules of Civil Procedure 15(a)(2) and involves the following Maxims of Equity in support of Her Motion for Leave to Amend Complaint.

1. Plaintiff is of sound mind and over the age of 18 and competent to testify to the following facts;

2. Plaintiff has no Plain, Speedy or Adequate Remedy at Law and orders and invokes these proceeding as a Court of Special equity by a Special Deposit of this Motion Leave to Amend Complaint,

3. Plaintiff has not filed or made any previous Application or Motions for Leave to Amend Complaint,

4. Plaintiff has attempted a stipulation from the opposing counsel but has received no response,

6. That the interests of justice are best served by an amendment to the complaint.

7. This case involves a thresh hold issue as to Defendant's standing as a Real Party In Interest under Article 3 § 2 of the National Constitution that needs to be addressed by this Court of Special Equity Sua Sponte.

8. That Equity looks upon that as done which ought to have been done.

9. That Equity suffers no right to be without a remedy.

10. That Equity regards substance rather than form.

11. That Where the equities are equal, the first in time will prevail.

12. That Where equities are equal, the law will prevail.

13. That He who seeks equity must do equity.

14. That He who seeks equity must have clean hands.

15. That Equity aids the vigilant, not those who sleep on their rights.

16. That Equity will not concern itself with abstract wrongs.

17. That Equity abhors a forfeiture.

18. That Equity does not require an idle gesture.

19. That Equity will not permit a party to profit by his own wrong.

20. That Equity delights to do justice, and not by halves.

21. That Equity will take jurisdiction to avoid a multiplicity of suits.

22. That Equity acts with In Personam.

Respectfully Submitted by Special Deposit,

2/1/2017
Date

By: Barbara Robinson
Robinson, Barbara Signature, All Rights Reserved

Barbara Robinson
Type or Print Your Name (Plaintiff)

VERIFICATION AND CERTIFICATION

I declare under the laws of the United States of America that the foregoing statements made by me are true to the best of my knowledge and belief. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

2/1/2017
Date

By: Barbara Robinson
Signature, All Rights Reserved

Barbara Robinson
Type or Print Your Name (Plaintiff)

CERTIFICATION OF SERVICE

I certify that I served a copy of this amended complaint and any accompanying pages by mailing it to the persons below by regular and certified mail.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

SERVICE LIST

To: United States District Court Clerk's Office
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